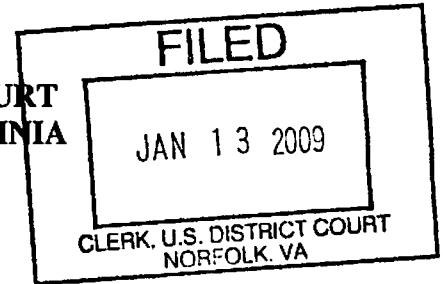


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



VASHTI WASHINGTON,

Plaintiff,

v.

CIVIL ACTION NO.: 2:08cv93

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On February 22, 2008, Plaintiff brought this action under Section 205(g) of the Social Security Act, 42 U.S.C. Section 405(g), seeking judicial review of the final decision of the Commissioner of Social Security (Commissioner) denying his claim for a period of disability and disability insurance benefits ("DIB") under the Social Security Act.

On May 29, 2008, this matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. Section 636(b)(1)(B) and (C), Rule 72(b) of the Federal Rules of Civil Procedure and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a report and recommendation (R&R). On December 15, 2008, the Magistrate Judge filed his report recommending that Plaintiff's Motion for Summary Judgment be **DENIED**, but that the Defendant's Motion for Summary Judgment be **GRANTED**. By copy of the report, each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the report and the time for filing the same has expired.


The Court does hereby accept the findings and recommendations set forth in the report of

the United States Magistrate Judge filed December 15, 2008, and it is, therefore **ORDERED** that the Defendant's Motion for Summary Judgment is **GRANTED**, and that Plaintiff's Motion for Summary Judgment is **DENIED**. This case is **DISMISSED**.

The Clerk shall mail a copy of this final Order to counsel of record.

IT IS SO ORDERED.

Norfolk, Virginia
January 13, 2009



Raymond A. Jackson
United States District Judge